Remarks

By this Amendment, Claims 1-19 are pending in this application. Claim 19 has been amended.

Claim Rejections - 35 USC § 102

Claims 1,2, 5-8, 11, 13, 14, 17, and 19 were rejected as anticipated by George (U.S. Patent No. 6,459,818) (George) under 35 USC 102(b).

The Federal Circuit has stated that "anticipation requires the disclosure in a single prior art reference of each element of the of the claim under consideration." *W.L. Gore & Assocs. V. Garlock,* 721 F.2d 1540, 220 USPQ 330 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). However, it is not enough that the prior art reference disclose all the claimed elements in isolation. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984). "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." The Examiner has not met the burden of evidence of prima facie anticipation as will be shown below.

Claim 1 recites "deconvolving the reference digital image with the degraded version of the reference digital image to ***form*** **an enhancement function** ... applying the **enhancement function** to the new digital image to form an enhanced digital image". As stated in the specification, paragraph 37, "the enhancement function will be useful in reconstructing ***any*** degraded image as long as the degradation in the degraded image can be represented by the same **equivalent filter used to derive the enhancement function**". George simply *does not form* an enhancement function or any function at all to form an enhanced digital image. At best George discloses two preset systems for

recovery of degraded images (10, 10a). Therefore, Claim 1 is patentably distinguishable from George.

Claims 2 and 5-6 depend from allowable base claim 1. Therefore, claims 2 and 5-6 are patentably distinguishable from George.

At least similar arguments to the one above can be made for claims 7, 8, 11, 13, 14, 17, and 19. Therefore claims 7, 8, 11, 13, 14, 17, and 19 are patentably distinguishable from George for at least the arguments given above.

Claim Rejections - 35 USC § 103

Claims 3, 9, and 15 were rejected under section 103 as unpatentable over George in view of Tsujita (U.S. Pat. No. 5,879,284) (Tsujita). However, claims 3, 9, and 15 depend from allowable base claims 1, 7, and 13 respectively. Therefore, claims 3, 9, and 15 are patentably distinguishable from the combination of George and Tsujita for at least the arguments given above.

Conclusion

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited. While it is believed that no extension of time or any other additional fees are necessary, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this Response, or credit any overpayment to Deposit Account No. 18-1722. If the Examiner feels that prosecution of present application would be assisted by a telephone interview, applicant encourages to contact the applicant at the contact information listed below.

Respectfully submitted,
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